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Attorney for KB HOME & HOMESAFE
ESCROW COMPANY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

HUGO ZALDANA and GARY GUARDINEER,
individually, and on behalf of all others similarly
situated,

Plaintiffs,

v.

KB HOME, a Delaware corporation;
COUNTRYWIDE FINANCIAL
CORPORATION dba COUNTRYWIDE HOME
LOANS, a Delaware corporation; and
FIRST AMERICAN TITLE COMPANY, a
California corporation,

Defendants.

No. 08-3399 MMC

STIPULATION AND ~~PROPOSED~~
ORDER REGARDING SCHEDULE
FOR RESPONSIVE PLEADINGS

STIPULATION

WHEREAS, this action was originally filed on July 15, 2008;

WHEREAS, Plaintiffs filed a First Amended Complaint, adding a new Defendant, First American Title Company, on or about October 9, 2008;

WHEREAS, pursuant to the parties' Stipulation and Order to Continue the Initial Case Management Conference, entered as an Order on October 21, 2008, the Defendants' responsive pleadings to the First Amended Complaint are to be filed no later than December 1, 2008, with any Motion to Dismiss hearings to be scheduled no earlier than January 30, 2009;

WHEREAS, the parties met and conferred by telephone on November 20, 2008, and as part of that conference agreed upon the following revised schedule:

1. Defendants' Responsive Pleadings, including Motions to Dismiss, shall be filed on or before December 8, 2008;

2. Plaintiffs' Opposition papers shall be served and filed on or before January 16, 2008;

3. Defendants' Reply papers shall be served and filed on or before January 30, 2008; and

4. A hearing on Defendants' Motions to Dismiss shall be scheduled no earlier than February 13, 2009.

WHEREAS, the parties believe that the interests of judicial economy would be served by the adoption of the above-noted briefing and hearing schedule.

THEREFORE, the parties hereby stipulate to and request that the Court enter the following Order.

IT IS SO STIPULATED

DATED: November 24, 2008

HAGENS BERMAN SOBOLEW SHAPIRO LLP

LAW OFFICE OF PETER B. FREDMAN

By _____/s/

Peter B. Fredman
Attorneys for Plaintiffs HUGO ZALDANA and
GARY GUARDINEER, individually, and on behalf
of all others similarly situated

1 DATED: November 24, 2008

REED SMITH LLP

2 By /s/

3 Marshall C. Wallace

4 Attorney for Defendant FIRST AMERICAN TITLE
COMPANY

5 DATED: November 24, 2008

BRYAN CAVE LLP

6 By /s/

7 Robert E. Boone III

8 Jennifer A. Jackson

9 Attorneys for Defendant COUNTRYWIDE
FINANCIAL CORPORATION

10 DATED: November 24, 2008

K & L GATES LLP

11 By /s/

12 Matthew G. Ball

13 Attorney for Defendant KB HOME

14 ECF CERTIFICATION: Matthew G. Ball, the filer of this ECF Document, hereby certifies
15 that the concurrence to this stipulation has been obtained by ECF registrants Robert E. Boone III and
16 Peter B. Fredman on behalf of their respective clients in this case. /s/ Matthew G. Ball


ORDER

Pursuant to the stipulation of the parties, and good cause appearing, the Court orders as follows:

1. Defendants shall file and serve responsive pleadings, ^{or} ~~including any~~ Motions to Dismiss, on or before December 8, 2008; if any defendant files a motion to dismiss, 2009
2. Plaintiffs' Opposition papers shall be served and filed on or before January 16, 2008; 2009
3. Defendants' Reply papers shall be served and filed on or before January 30, 2008; and
4. Any Motion to Dismiss hearing shall take place at 9:00 a.m. on February 13, 2009.

IT IS SO ORDERED

Dated: November 26, 2008


Hon. Maxine M. Chesney
United States District Court Judge